

ANTI-HAZING AND CYBERBULLYING POLICY

Hazing and Cyberbullying are contrary to the culture, mission, and values of Vivekananda University (VaYU). VaYU prohibits hazing and cyberbullying, and the support thereof, by all persons as defined in this policy and investigates and responds to all reports of hazing and cyberbullying. Students, student organizations, and other student groups, including other individuals associated with those organizations, Staff, Faculty, Consultants, and Alumni, are prohibited from hazing and cyberbullying, and failing to report the same. Advisors acting in an official and professional capacity, or persons acting in an advisory role, are prohibited from permitting hazing and cyberbullying and are required to timely report knowledge or suspicion of hazing and cyberbullying activity.

1. PURPOSE OF ANTI-HAZING AND CYBERBULLYING POLICY AT VAYU

The purposes of this policy are to:

- I. Prevent incidents of hazing and cyberbullying within the university community through information, education, and reporting processes.
- II. Stop hazing and cyberbullying processes that might be in progress.
- III. Hold individuals and student organizations accountable through appropriate conduct processes and reporting to law enforcement should hazing and cyberbullying occur.
- IV. Keep records and share appropriate information about past incidents of hazing with the university community and the public.

2. DEFINITIONS

Hazing is defined as an act that endangers the health or safety of a student, Staff and faculty, or causes or creates a substantial risk of causing mental or physical harm, including coercing another to consume alcohol or a drug of abuse as defined in California Penal Code **§245.6**, defined as

“any method of initiation or pre-initiation into a student organization or student body (whether or not officially recognized) that is likely to cause serious bodily injury to a former, current, or prospective student of any school, community college, college, university, or other educational institution in California.”

To quote from [1]

“Hazing that does not result in serious injury is a misdemeanor. It is punishable by:

- a fine of up to \$5,000, and/or
- up to one (1) year in county jail

When hazing does result in serious bodily injury or death, however, it becomes a California “wobbler” offense. This means it can be charged as either a misdemeanor or a felony, in the prosecutor's discretion.

If charged as a felony, hazing can be punished by as much as three (3) years in California state prison.”

Cyberbullying is the use of the Internet or mobile technology to harass, intimidate, or cause harm to another. While power in traditional bullying might be physical (stature) or social (wit or popularity), online power may simply stem from proficiency with or the knowledge or possession of some content (information, pictures, or video) that can be used to inflict harm.

According to [2]

“[California Education Code §§ 32261, 32265, 32270, and 48900](#) defines bullying of pupils to include bullying committed by means of an electronic act and authorizes school officials to suspend or recommend for expulsion pupils who engage in bullying.”

Persona non grata: A ban from entry to specified areas of University premises, including the entire campus or specific or all parts of university electronic resources including the Learning Management System (LMS) if directed, for a specified or permanent period of time.

Student organization or student group: Any number of persons who have complied with the formal requirements for University recognition or that would otherwise be considered a student organization or student group. This includes but is not limited to, recognized student organizations, Greek life chapters, athletic teams, and performance groups.

Advisor: An advisor to a student organization may include an administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer, acting in an official/professional or unofficial capacity.

3. RESPONSIBILITY FOR MANAGEMENT

The Office of Provost’s Office is responsible for accepting information about, investigating, reporting, and adjudicating, as necessary, any reports or incidents of hazing and cyberbullying. Education and training processes for university community members on the topic of hazing and cyberbullying prevention are jointly the responsibility of the Office of Student Affairs currently under the Provost’s Office at VaYU.

4. APPLICABILITY

This policy applies to the following persons:

- Students enrolled at the University including those involved with student organizations.
- Other individuals associated with an organization, including volunteers and advisors of the organization.
- Staff, Faculty, Consultants, and Alumni.

5. SANCTIONS

The University is committed to holding violators of this policy fully accountable. Hazing and cyberbullying is a serious violation of the Student Code of Conduct (refer to School Catalog). Persons found responsible are subject to appropriate disciplinary action that may include suspension, expulsion, termination of

employment, degree/admission revocation, and bans from campus including electronic resources, and campus activities.

1. **Students or student organizations** found responsible for violations of this policy are subject to the Student Conduct of Code Procedures and a full range of sanctions available up to and including disciplinary separation or suspension, expulsion, revocation of degree or admission, and any other appropriate sanction. Student organizations may lose university recognition.
2. **Employees** of the university who are found to be in violation of this policy are subject to conduct review and potential disciplinary action, up to and including termination of employment in accordance with their employment circumstances.
3. **Non-employees** found to be in violation of this policy may be removed from their role(s) in connection with the student organization at issue and made *persona non grata* within the campus community.
4. Violations of this policy are subject to referral to appropriate law enforcement agencies as well as internationally or nationally affiliated offices of student organizations, for action and adjudication. Any penalties for violations of federal, state, and/or local law are determined in addition to university action. Violations of anti-hazing and cyberbullying laws may result in misdemeanor violations, and, in some cases, a felony of the third degree.

6. DISTRIBUTION AND PUBLIC ACCESS

To ensure access to this policy, the university provides a link to this policy to each student organization recognized by the university and is included in New Student Orientation programs for students, including orientations for new students. Additionally, the University links the policy on university websites relating to students and where it likely will be seen by individuals who must obey the policy.

7. REPORTING INCIDENTS OF HAZING

University employees, faculty members, instructors/professors, consultants, alumni, and volunteers of any organization ("Mandated Reporters") are required to report knowledge or suspicion of hazing and cyberbullying. However, the university encourages all members and guests of the university community to report knowledge or suspicion of hazing and cyberbullying. Each report to the university is investigated. Anonymous reports and reports with limited information are welcome, however, the investigational ability is greatly aided by complete and specific information and the ability of the investigator to follow up on reports to ask additional questions. Response staff will assist in channeling information about hazing and cyberbullying taking place in other colleges or universities to the appropriate authorities to respond in other communities.

8. GRIEVANCE PROCEDURE

If an employee, Faculty, Student, or any individual believes that they have been subject to Hazing or Cyberbullying, they are required to follow the procedure below;

- i. Students can raise their Grievances by following the procedures outlined in the “*Student Grievance and Complaint Policy*” listed on [VaYU Policy Page](#).
- ii. Faculty members can consult Section 9.4 of the Faculty Handbook, titled “*Faculty Grievance Policy and Procedure*”.
- iii. Staff members can find guidance in Section 7 of the Staff Handbook known as the “*Staff Grievance Policy*.”

All complaints will be investigated promptly, and confidentiality will be protected to the extent possible. A timely resolution of each complaint should be reached and communicated to the parties involved.

If the investigation confirms conduct that violates this policy has occurred, VaYU will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

9. RECORD RETENTION OF INCIDENTS OF HAZING

The Provost’s office maintains records of hazing and cyberbullying activities in a report made available to the public upon request by emailing provostoffice@vayuusa.org.

Note: VaYU is an online university, so your message to us may not be responded to immediately. Since we are unable to respond to personal emergency situations, call ‘911’ if you are in the US or your local emergency or police system.

To share your feedback and ideas email us at hr@vayuusa.org.

ACKNOWLEDGMENT

Adapted from: “Anti-Hazing Policy,” Division of Student Affairs, Case Western Reserve University, <https://case.edu/studentlife/university-policies/anti-hazing-policy>, Accessed Jan 19, 2023.

References:

1. “California penal code section 245.6 – hazing”, Kann Law Office, <https://www.kannlawoffice.com/hazing#:~:text=Penal%20Code%20%A7245.6%20is,of%20hazing%20to%20take%20place>. Accessed Jan 19, 2023.
2. Bonta R., Attorney General, “Cyberbullying,” State of California Department of Justice, <https://oag.ca.gov/cybersafety/children/cyberbullying>. Accessed Jan 19, 2023.
3. National Anti-Hazing Resources:
 - i. **The Gordie Center** - The mission of the Gordie Center is to end hazing and substance misuse among college and high school students nationwide.

- ii. **HazingPrevention.Org** - HazingPrevention.Org is a national nonprofit dedicated to empowering people to prevent hazing. Our goal is to educate people about the dangers of hazing, advocate for change, and engage the community in strategies to prevent hazing.
- iii. **Inside Hazing** - The mission of Inside Hazing is to provide methods of prevention and intervention in hazing; to explain the psychology of hazing in high school, college, the military, and the workplace.
- iv. **StopHazing** - StopHazing's mission is to promote the safe and inclusive school, campus, and organizational environments through research, resource sharing, and the development of data-driven strategies for hazing prevention and the promotion of positive group climates.
- v. **Timothy J. Piazza Center for Fraternity and Sorority Research and Reform** - The Timothy J. Piazza Center for Fraternity and Sorority Research and Reform establishes new insights into understanding the complex issues facing fraternity and sorority life and empowers higher education to help create a fraternity and sorority experience that is safer and more meaningful. The center produces actionable data to give practitioners, campuses, and headquarters the evidence needed to enact significant change on their campuses for the over 750,000 members across more than 770 campuses with fraternity and sorority life.

[Anti hazing laws in California](#)